

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION

THOMAS G. FIGANIAK and
VALERIE A. FIGANIAK, as
Administrators of the Estate of
Kevin Figaniak,

Plaintiffs,

v.

Civil Action No. 5:15-cv-111
Judge Frederick P. Stamp, Jr.

FRATERNAL ORDER OF OWL'S HOME NEST,
LOYAL ORDER OF OWLS NEST LODGE 2558
d/b/a THE OWLS NEST, a West Virginia corporation,
YE OLDE ALPHA, INC., a West Virginia corporation,
CRAIG TYLER PEACOCK, individually
JARRETT CHANDLER, individually, and
TYLER JOHNSON, individually,

Defendants.

**MOTION IN LIMINE #5 –
TO EXCLUDE EVIDENCE OF PUNITIVE DAMAGES**

COMES NOW, Tyler Johnson by Counsel, Trevor K. Taylor, Esquire/Taylor Law Office, pursuant to this Court's Scheduling Order entered on September 20, 2016, and moves this Court for an order excluding any evidence of punitive damages as it pertains to Tyler Johnson. A Memorandum of Law in Support of Mr. Johnson's Motion in Limine #5 has been filed contemporaneously with this Motion. Please note that, pursuant to the Court's Scheduling Order, by letter dated May 25, 2017, Counsel for Tyler Johnson advised the other parties to this litigation that this motion would be filed in an attempt to determine whether the parties might agree to the matters at issue. One or more of the other parties objected to this motion, and as a

result, no consensus among the parties could be reach. Accordingly, Mr. Johnson files this Motion in Limine.

TYLER JOHNSON,

By Counsel.

/s/ Trevor K. Taylor

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CERTIFICATE OF SERVICE

I, Trevor K. Taylor, counsel for Defendant Tyler Johnson, hereby certify that on this 1st day of June, 2017, I electronically filed the foregoing **MOTION IN LIMINE #5 – TO EXCLUDE EVIDENCE OF PUNITIVE DAMAGES** with the Clerk using the CM/ECF system which will send notification of such filing to all counsel of record as follows:

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